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Intellectual Property Law**Waddey & Patterson, P.C.***Patents • Trademarks • Enforcement***FAX COVER PAGE**

Applicant: *Mercuri et al.*
Serial No.: 09/705,289
Filed: February 6, 2001
Title: Flexible Graphite Sheet Having Increased Isotropy
Group Art Unit: 1775
Examiner: A. Bahta
Attorney's Docket No.: P1017/N8787
Customer No.: 23456

TO: Examiner Bahta

FROM: James R. Cartiglia
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PAGES: 3 (incl. cover page)

DATE: November 8, 2002

MESSAGE: Enclosed please find the following documents for filing in the above-referenced matter:

✓ Second Preliminary Amendment
Certificate of Telefax Transmission

Thank you.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Handwritten:
11/8/02
DML

SECOND PRELIMINARY AMENDMENT

To the Honorable Commissioner
of Patents and Trademarks
Washington, DC 20231

Sir:

Please enter the following amendment prior to taking any action on the
above-referenced application:

In the Claims

Please cancel ~~claims~~ 1-5 without prejudice.

COMMENTS

Claims 1-20 were originally pending in the above-captioned application. Applicants received on November 5, 2002 a telephonic restriction requirement from Examiner A. Bahta, restricting between, *inter alia*, claims 1-5 and other claims of the application. However, upon examining the file, Applicants noted the fact that a divisional application covering claims 1-5 was filed on March 29, 2002 and assigned Serial No. 10/113/384. During a telephone conversation on November 7, 2002 between the undersigned and Examiner Bahta, Examiner Bahta indicated that a Preliminary Amendment should be filed canceling claims 1-5, i.e., those claims